



CITY OF MORGAN HILL  
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION

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## PLANNING COMMISSION

TUESDAY, OCTOBER 14, 2003

CITY COUNCIL CHAMBERS  
CIVIC CENTER  
17555 PEAK AVENUE  
MORGAN HILL, CA

### COMMISSIONERS

CHAIR JOSEPH H. MUELLER  
VICE-CHAIR CHARLES D. WESTON  
COMMISSIONER H. GENO ACEVEDO  
COMMISSIONER ROBERT J. BENICH  
COMMISSIONER ROBERT ENGLES  
COMMISSIONER ROBERT L. ESCOBAR  
COMMISSIONER RALPH LYLE

REGULAR MEETING - 7:00 P.M.

### \*\*\* A G E N D A \*\*\*

### NOTICE TO THE PUBLIC

*The following policies shall govern the conduct of the Planning Commission meetings:*

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
  - *Those supporting the application*
  - *Those opposing the application*
  - *Those with general concerns or comments*
  - *Presentations are limited to 5 minutes.*

**DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH  
GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT**

**OPEN PUBLIC COMMENT PERIOD (5 MINUTES)**

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

**MINUTES:** September 9, 2003

**OLD BUSINESS:**

1. **ZONING AMENDMENT, ZA-02-16/SUBDIVISION, SD-02-11/DEVELOPMENT AGREEMENT AMENDMENT, DAA-02-09: DEWITT-MARQUEZ/GLUHAICH:** A request for approval of a zoning amendment to Residential Planned Development for the larger five parcel, 9.45-acre area on the west side of DeWitt Ave. within which the subdivision will be developed. The RPD will be developed with a total of 21 single-family residences. Applicant also requests approval of a 5-lot single-family residential subdivision and development agreement amendment on an existing two-acre parcel located on the west side of DeWitt Ave. approximately 700 ft. south of the DeWitt Ave. intersection with W. Dunne Ave. (APNs 773-08-012 thru 016)

**Recommendation:** Reconvene Public Hearing /Adopt Resolution Nos. 03-72 (zoning amendment), 03-73 (subdivision), and 03-74 (development agreement amendment, with recommendation to forward to the City Council for approval.

- 2) **ANNEXATION, ANX-03-02/SUBDIVISION, SD-03-05/DEVELOPMENT AGREEMENT, DA-03-05: DEWITT-MARRAD GROUP:** A request for annexation of two parcels (2 acres each) totaling 4 acres located on the west side of DeWitt Ave. approximately 700 ft. south of the DeWitt Ave. intersection with W. Dunne Ave. into the City of Morgan Hill. Applicant also requests approval of a 4-lot single-family residential subdivision on the northernmost parcel of the two parcels being considered for annexation and approval of a residential development agreement for the project. (APNs 773-08-015 & 016)

**Recommendation:** Reconvene Public Hearing/Adopt Resolution Nos. 03-75 (annexation), 03-76 (subdivision) and 03-77 (development agreement), with recommendation to forward to the City Council for approval.

## PLANNING COMMISSION MEETING AGENDA

OCTOBER 14, 2003

PAGE 3

### NEW BUSINESS:

- 3) **APPEAL, AP-03-04: FOOTHILL-COMMITTEE FOR GREEN FOOTHILLS/SANTA CLARA VALLEY AUDUBON SOCIETY:** Appeal of the Community Development Director's approval of a Temporary Use Permit to allow operation of a private golf course located at 14830 Foothill Avenue in the O-S, Open Space zoning district.

**Recommendation:** Adopt Resolution No. 03-80, upholding the Community Development Director's approval.

- 4) **ZONING AMENDMENT, ZAA-01-05: MONTEREY-SOUTH VALLEY DEVELOPERS:** A request for an amendment to the approved mixed use office/retail Planned Unit Development (PUD) on a 6.22-acre site located at 18605 Monterey Rd. at the intersection of Cochrane Rd. and Monterey Rd. The applicant seeks to amend the PUD language to allow the following: 1) up to 6,010 sq. ft. for restaurant space on Lot 3; 2) expansion of the office on Lot 4 to 32,000 sq. ft.; 3) a fence of wrought iron, or an equivalent material, opposite the Capri Restaurant; and, 4) a reciprocal parking agreement for up to 27 parking stalls to be shared between Lots 3 and 4. (APN 764-10-004)

**Recommendation:** Open Public Hearing/Table request.

- 5) **ZONING AMENDMENT, ZA-03-13: CITY OF MORGAN HILL-ZONING TEXT AMENDMENT/ATTACHED HOUSING:** A request to amend Title 18 of the Municipal Code to modify the definition of attached single-family dwellings, add a new definition for modified setback dwellings, and to establish design standards for modified setback dwellings.

**Recommendation:** Open Public Hearing/Adopt Resolution No. 03-82, with recommendation to forward to the City Council for approval.

### OTHER BUSINESS:

- 6) **CITY ENDORSEMENT OF VALLEY TRANSPORTATION AUTHORITY'S (VTA) COMMUNITY DESIGN AND TRANSPORTATION BEST PRACTICES MANUAL:** A request to endorse the Valley Transportation Agency's Community Design and Transportation (CDT) Program and adoption of the CDT Manual of Best Practices for Integrating Transportation and Land Use.

**Recommendation:** Adopt Resolution No. 03-83, recommending endorsement of VTA's Best Practices Manual for Integrating Transportation and Land Use.

- 7) **SCHEDULE FOR RESIDENTIAL DEVELOPMENT CONTROL SYSTEM AFFORDABLE COMPETITION:**

**Recommendation:** Approve amended filing deadline for the next Measure P Affordable Competition.

### TENTATIVE UPCOMING AGENDA ITEM FOR THE OCTOBER 28, 2003 MEETING:

# PLANNING COMMISSION MEETING AGENDA

OCTOBER 14, 2003

PAGE 4

- ZA-03-10: Watsonville-South County Housing
- SD-03-08: Watsonville-South County Housing
- DA-03-06: Watsonville-South County Housing
- UPA-99-02: Calle Enrique-Guevara
- UP-99-07: City of M.H.-CCC/Review of condition regarding whether parking is working appropriately.
- RDCS Quarterly Report
- Multi-Family Vacancy Rate Report
- Street Standards

## ANNOUNCEMENTS:

## CITY COUNCIL REPORTS

## ADJOURNMENT

### SPEAKER CARD

*IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.*

### *NOTICE*

### *AMERICANS WITH DISABILITY ACT (ADA)*

*The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.*

*If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only - TDD 776-7381 to request accommodation.*

### *NOTICE*

*NOTICE IS GIVEN pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

### *NOTICE*

**PLANNING COMMISSION AGENDA**

**SEPTEMBER 23, 2003**

**PAGE 5**

*The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.*

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